

FILED: December 30, 2010

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-2135
(5:05-cv-00202-FPS-JES)

CSX TRANSPORTATION, INCORPORATED

Plaintiff - Appellant

v.

ROBERT V. GILKISON; PEIRCE, RAIMOND & COULTER, PC, a/k/a Robert
Peirce & Associates, P.C., a Pennsylvania Professional
Corporation; JOHN DOES; ROBERT N. PEIRCE, JR.; LOUIS A. RAIMOND;
MARK T. COULTER; RAY A. HARRON, Dr.

Defendants - Appellees

and

RICHARD CASSOFF, M.D.

Party-in-Interest

LUMBERMENS MUTUAL CASUALTY COMPANY

Intervenor

AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS; AMERICAN TORT
REFORM ASSOCIATION; ASSOCIATION OF AMERICAN RAILROADS; DANIEL E.
BANKS; COALITION FOR LITIGATION JUSTICE, INCORPORATED; ALFRED
FRANZBLAU; LAWRENCE MARTIN; NATIONAL ASSOCIATION OF
MANUFACTURERS; PROPERTY CASUALTY INSURERS ASSOCIATION OF
AMERICA; VIRGINIA SOCIETY OF RADIOLOGIC TECHNOLOGISTS;
WASHINGTON LEGAL FOUNDATION; WEST VIRGINIA CHAMBER OF COMMERCE

Amici Supporting Appellant

J U D G M E N T

In accordance with the decision of this Court, the judgment of the District Court is affirmed in part and vacated in part. This case is remanded to the District Court for further proceedings consistent with the Court's decision.

This judgment shall take effect upon issuance of this Court's mandate in accordance with Fed. R. App. P. 41.

/s/ PATRICIA S. CONNOR, CLERK